# TRADE UNIONISM AND ACADEMIC STAFF UNION OF UNIVERSITIES CONTRIBUTIONS ON THE ADMINISTRATION OF PUBLIC UNIVERSITIES IN NIGERIA

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#### **ABSTRACT**

Trade unions and trade unionism in Nigeria are the legacy of colonialism in Nigeria. It was during the era of colonialism that unionism began. In view of the above, this paper will examine the historical overview of trade unions in Nigeria, the concept of trade union, rationale for union formation by Workers, identification of the various kinds of trade unions in public universities in Nigeria, contributions of Academic Staff Union of Universities (ASUU) in the administration of public universities in Nigeria, Conclusion and recommendations.

## 1.0 HISTORICAL OVERVIEW OF TRADE UNION IN NIGERIA

Before the advent of colonialism in Nigeria, the occupation of indigenous people was craft or trade. These people in their groups as they existed could be described as trade unions because they were organized to regulate trade practices for mutual assistance to each other and for services and charges regulations (wages for the services rendered); such groups included those of the hunters, blacksmiths, carvers and weavers (Egboh, 1968; Ananaba, 1970). These groups consisted of tradesmen and their children or other blood relatives -usually sons-, there were no employment contracts as known today as the children learned the trades and took over from their fathers (Fashoyin, 1980). The functions of these groups some of which still endured till today in our localities included: settling of disputes, regulation of relationship between tradesmen, fixing of prices and organizing the payment of tribute to the Kings (Lloyd, 1953). History recorded that organized trade unions officially started in Nigeria on Monday August 19th, 1912 when workers in the then civil service organized themselves into trade unions as obtained in Sierra Leone (Egboh, 1968). History had it that, Mr. Henry Libert - a Sierra Leonean organized a meeting with thirty-three indigenous workers in attendance, and by the fifth meeting on November 15<sup>th</sup> 1912, a union was formed with the aim of promoting the welfare and interests of the indigenous workers of the Nigerian Civil Service (Okonkwo, 1993). The new union was known as the Civil Service British Workers Union but later replaced with the name "Nigerian Civil Service Union" prior to independence (Yesufu, 1982; Smock, 1969). It remained an exclusive union of Africans of 1st class workers until the outbreak of the First World War in 1914. This brought about an astronomical rise in cost of living and the union had to seek the support of other workers outside the 1st class to agitate for 30% increase in basic salaries as the war bonus which was granted by the colonial administrators (Ananaba, 1970).

The union fought against discrimination in salary scale in favour of Europeans against African workers performing same jobs, and solicited for the abolition of unwarranted and frequent imposition of fines on Africans as a disciplinary measure '(Yesufu, 1982,: 96).

In 1931, the Railway Workers Union and the Nigeria Union of Teachers came on board; before this time railway workers were under the Nigerian Civil Service Union (Egboh, 1968). The 1930 economic crisis aided the coming out of the then Mechanic Union out of the Nigerian Civil Service Union; although the former claimed to embrace all employees of the railway; the clerical workers chose to remain with the later (Yesufu, 1982). With the passing of the Nigerian Trade Union Ordinance in 1938, the numbers of registered trade unions as well as memberships increased; for example, in 1940 only 14 unions were registered with 4,629 members but by 1944 it increased to 91 registered unions with over thirty thousand members (Nigeria Department of Labour Annual Reports, 1945).

By 1975, under the military regime of General Murtala Muhamed one thousand trade unions were registered. (Fashoyin, 1980). That same year, his government established a Commission of Enquiry to look into the past activities of the unions. Administrators were appointed to manage the unions as the unions were polarized and ideologically divided therefore creating labour problems for the country. The unions were restructured into 42 along industrial lines and a Labour centre was created (Nigerian Federal Ministry of Labour and Productivity, 1976 vol.21). The Nigerian Labour Congress (NLC) was created in 1978 and the 42 industrial unions became affiliates (Northrup, 1978). This was given a legal backing through the Trade Union Decree. In 1989, the trade union was restructured again with 29 industrial unions affiliated to NLC through the Trade Union (Amendment) Decree 22 of 1978.

### 2.0 THE CONCEPT OF TRADE UNION

Labour Unions or Trade Unions are organizations formed by workers from related fields that work for the common interest of its members. They help workers in issues like fairness of pay, good working environment, hours of

work and benefits. They represent a cluster of workers and provide a link between the management and workers. The purpose of these unions is to look into the grievances of wagers and present a collective voice in front of the Management. Hence, it acts as the medium of communication between the workers and Management. Regulation of relations, settlement of grievances, raising new demands on behalf of workers, collective bargaining and negotiations are the other key principle functions that these trade unions perform.

A trade union is an association of workers formed with the object of improving the conditions of workers. It is formed for protecting the interests of workers. Workers have little bargaining capacity when they are unorganized. Trade unions are associations of workers and are formed with the intention of protecting the workers against exploitation of the employers and also to improve the workers' conditions. The industrial revolution in England and in other countries and the advent of the factory system of production are greatly responsible for the emergence of trade unions.

Trade union is a voluntary organization of workers formed to protect and promote their interests through collective action. It may be formed on plant basis, industry basis, firm basis, regional basis or national basis. Different writers and thinkers have defined the trade union differently.

## 2.1 RATIONALE FOR UNION FORMATION BY WORKERS

Human beings are rational creature. Human beings react in different ways probably because of individual difference as a result of biological traits. Workers join unions because of some obvious reasons. Nonetheless, there is a general agreement among the labour experts that certain issues are likely to lead to an organizing drive by workers. Prominent among the reasons are the following:

## **Job Security:**

Employees need to have a sense of job security and want to be sure that management will not make unfair and arbitrary decisions about their employment. They look unions to ensure that their jobs are duly protected against lay offs, recall, promotion, etc.

# Wages and Benefits:

Employees work for livelihood, i.e., bread-and-butter. Obviously, bread-and-butter issues of employees are always important issues in their unionization. The employees may think that the union, with its united strength, will ensure fair wages at par with those of other workers in the community, benefits such as medical facility, pensions, paid sick leave, vacations and holidays for them.

#### **Working Conditions:**

Employees like to work in a healthy and safe environment. Although there are statutory provisions for providing employees a safe work environment. Employees still feel more secured knowing that trade union is directly involved in safety and health issues relating to them.

## Fair and Just Supervision:

The days are long gone when managers / leaders could rule employees with an iron fist. Thanks to the trade unions that brought about a change or shift in leadership styles from autocratic to democratic, or say, people oriented to ensure that the managers treat their employees fairly, justly, and respectfully. Employees can only be disciplined for "just cause." In case of mistreatment from the employer, the employee may file a written grievance against the employer. The complaint will be heard and resolved through a formal grievance procedure involving collective discussion by both union and management representatives.

# **Powerlessness:**

Employees individually often feel voiceless or powerless to bring about changes that will benefit them'. But, it is union that provides them a powerful, collective voice to communicate to management their dissatisfaction and frustration. This is based on labour philosophy 'unity is the strength'.

# **Need to Belong:**

Man is a social animal. Hence, need to belong is strong in both his personal and work lives. The union, from this point of view, provides a mechanism for bringing people together not only to promote common job-related interests but also to organize programmes, functions, and social events from time to time, to create a strong bond among the union members.

#### Equality

Unions lead the fight for equal opportunities in the workplace. Trade Unions interest on its members covers equal pay, protection against discrimination, flexible working, ensuring fair recruitment and promotion procedures, and negotiating adjustments for disabled workers.

## Legal advice and services

Unions can provide free legal representation for members in a case of clear humiliation and injustice

# 2.2 TRADE UNIONS IN NIGERIAN UNIVERSITIES.

Unions that are recognized in public universities in Nigeria are four. They are the Academic Staff Union of Universities (ASUU), Senior Staff Association of Nigerian Universities (SSANU), Non-Academic Staff Union (NASU) and Non-academic association of Technicians (NAAT). The major objective of these unions is to protect the Welfare of their members. On ASUU, for instance, Iyayi (2002) says the union is a trade union, which like other trade unions is a "combination of workers and employers, whether temporary or permanent, the purpose of which is to regulate the terms

and conditions of the employment of workers". In specific terms, Iyayi outlined the principles that guide ASUU as a union as follows:

- (a) Integrity, transparency and accountability;
- (b)Professionalism, objectivity and hard work,
- (c)Courage, sacrifice and total commitment,
- (d)Internal democracy, teamwork and group solidarity, as well as
- (e)Patriotism, anti-imperialism and working class solidarity.

In carrying out these principles, ASUU has been at loggerheads with both the government and university authorities. At the level of government, the union has always based its agitation on three major issues. These are: funding of the system, university autonomy; and conditions of service.

The issue of funding has been a source of crisis in the Nigeria educational system. Various organizations, parents, labour unions, etc, have at various fora drawn the attention of government to poor funding of public universities. For instance, Ibukun (2004) reported that between 1987 and 1997, average expenditure on education by the federal government, as a percentage of the annual budget was 5.1%. When related to the GDP, Federal government expenditure on Education averages 1.1%. In addition, Arikewuyo (2004) reported that since the advent of democracy in 1999, funding of education dropped from 11.12% to 1.81% in 2003. UNESCO (2000) reported that unlike Nigeria which spends an average of 1.1% of its GDP/GNP on education, other countries like Ghana spend 3.6%, Kenya 6.2%, and Zimbabwe 9.5%.

#### 3.0 CONTRIBUTIONS ASUU IN THE ADMINISTRATION OF PUBLIC UNIVERSITIES.

At the institutional level, the relationship between university authorities and trade unions, especially the academic body, has also not been all that rosy. Vice Chancellors in most Nigerian universities have often been in collision with unions on many issues, which range from allocation of funds to high handedness on the part of the administration. Funding of various university projects, award of contract, payment of outstanding allowances and salaries, purchase of facilities, library and laboratory materials, etc. have sometimes caused some disharmony. Even when government allocates fund to the universities, cases have arisen when university authorities allocate money to things that have no bearing on teaching and learning. Olorode (2001) insists that the inability of most Vice Chancellors to effectively manage the resources available to their universities is due to the fact that, these people have acquired almost unlimited power to manipulate university resources according to their whims and caprices. This high rate of corruption in the university system, in his opinion, arises from the absence of democratic control of university administration. Also, arbitrariness and high handedness on the part of university authorities and Vice Chancellors have often caused a lot of conflicts. For instance, at the University of Abuja, the Vice Chancellor, Professor Isa Muhammed unilaterally sacked thirty-five lecturers, dissolved Senate, created programmes and altered the academic structure of the university. He ran the university like chiefdom and with unbelievable brutality (Egbokhare, 2000). In addition, Isa Mohammed was intolerant to the existence of alternative views and trade unions. The man would ultimately declare that he was the "Law" (Mustapha, 1995). He was said to have displayed extreme autocratic tendencies contrary to the expectations of a man of his social and academic status.

In 1999, crisis erupted at the University of Ibadan following the action of the administration geared at increasing the fees to be paid by students. The ensuing crisis led in almost a year long conflict leading to the loss of an academic session, the suspension of some students from the university and the assassination of the university's acting Chief Security Officer who was shot and killed by assailants (CDHR, 2000).

In 1996, at the Ogun State University (now Olabisi Onabanjo University), Ago-Iwoye, over one hundred academic staff were unilaterally sacked by the Vice Chancellor for their refusal to "sign back" during a nationwide strike called by the national body of ASUU. Thus, due to the fact that some Vice Chancellors became much too sensitive to criticism, (Belo 1998), and did not necessarily see themselves as accountable to any one in the university, they effectively transformed into feudal lords within an environment designed to promote tolerance and freedom. This is a graphic description of what someone has called the winner-takes-all syndrome. All these acts of arbitrariness dictatorship have put ASUU on collision with the administration of many universities.

The blatant refusal of university administration to allow for participatory decision-making has also caused some problems. The contention has always been that all segments of the university, namely academic and non-academic staff; students and public at large must be involved in the administration of the system. It is in this regard that Ejiogu (1987) argued that such involvement transcends the hand, but more importantly, it involves the mind, the heart and head.

The issue of university autonomy and academic freedom has also been a vexed matter between governments and ASUU especially. The Federal Republic of Nigeria (2004) had recognized that: The internal organisation and administration of each institution (of higher learning) shall be its own responsibility; the traditional areas of academic freedom for the institutions are to: Select their students, except where the law prescribes otherwise; appoint their staff; teach, select areas of research; and determine the content of courses.

However, government has always hidden under the following clause, which says: "Government shall continue to respect this freedom as long as these areas are in consonance with national goals". The question is: What constitutes "consonance with national goals"?

But what is institutional autonomy? Anya (1982) defined it as "the ability conferred on institutional arrangements of the state on each university to manage its affairs and consists usually of the corporate freedom of institution to exercise its

prerogatives in the areas of appointment of its staff and of its governing authorities; pursuit of institutional goals as defined for itself under the rules of the laws of the land; insulation of the institution in the management of its routine affairs from political, administrative, religious and other authorities.

Indeed, university autonomy implies that each university must be governed according to the law, that establishes it. Every university has its law, edict or even decree which spells out the functions of the various organs, such as Council, Senate, Congregation, Faculty, Department, Institute, etc. But successive governments have often impinged on this autonomy, usually hiding under the cover of national interest. Ajayi (1989) quoted Professor Oluwasanmi, a former Vice-Chancellor of a Nigerian university, as asserting that "actual interference in university affairs started in 1975. This problem which universities find themselves started in 1975". One of Nigeria's reliable Scholars, also captured the picture of Nigerian universities in this way universities suffered from arbitrary governance rather than being a place where justice and truth are to be nurtured, the universities triumphed on mediocrity and untruths.

Promotion was earned through sycophancy and the admission procedure became systematically bastardized as wives, children, and cronies of Vice Chancellors had their own admission quota without reference to the established procedure. University governance became unpredictable and university finances in shambles (Olorode, 2001).

In addition, Arikewuyo (2004:128) recounted how past and present governments have encroached on university autonomy as follows:

(a) Staff and student unions were banned and unbanned at various times. The ASUU and

NANS were the worst affected. Many Vice Chancellors have been removed for not complying with directives from the government. A major General was even appointed as the sole administrator in a first generation university. Many academics have been dismissed, retired and unjustly jailed for teaching what they were not employed to teach.

(b) Forty-nine academic staff of the University of Ilorin were dismissed for taking part in a nation-wide strike called by ASUU 2001. The President of the Federal Republic of Nigeria has affirmed at various convocation for that there would be no reprieve for those lecturers. If academics could be dismissed unjustly in a democratic government, one could imagine what would happen under a military regime.

The third contentious issue between the government and ASUU is that of conditions of service of academics. This area covers such areas as salary and allowances, retirement and pension, appointment, discipline and promotion of staff, etc. Poor conditions of service of staff are often reflected in such ASUU slogans such as "My boss is a comedian, the wages he pays are a joke; "My take-home pay cannot take me home". It has been asserted that what academics are paid in Nigeria represent 0.0005 of the pay of their colleagues in Botswana (Onyeonoru, 1996) and even in Ghana (Asobie, 1996). As a matter of fact the Federal Ministry of Education (2003) reported that public universities in Nigeria remained closed for an accumulated period of a about

33 months due to progressive reformulation of collective bargaining issues by university staff unions. Of course, poor pay has led to the brain drain syndrome in the university system. Indeed according to the Federal Ministry of Education (2003) there was a total of 18, 328 academic staff to look after 433,871 students and by NUC staffing norms, a total of 33,951 should be in the system. Therefore, the academic staff shortfall was 15,718 (46%) in the Nigerian Universities in 2000.

Often, governments in Nigeria retorted to certain hard line postures in order to counter ASUU's strike actions. These include banning and unbanning of the union, seizure of salaries under the guise of no work no pay; ejection from government quarters, detention, etc.

Other staff unions within the university system have often focused more on welfare and salary of members, rather than on the issues of funding and autonomy. Till date, only ASUU is perhaps the only union that has signed comprehensive agreements with governments on the vexed issues of funding, autonomy and conditions of services. Onyeonoru and Bankole (2001) observed that much of the conflicts involving the government and non-academic staff unions emanate from the collective agreements reached between the government and ASUU, which the unions often regard as exclusionary. These have led to the popular parity conflicts in the universities that sometimes involve physical assaults.

## 4.0 CONCLUSION

The role of labour unions in the University cannot be ignored. They are important stakeholders in the system. Unionism within the Nigerian university system is no longer new. Indeed, the system has witnessed a lot of conflicts, partly because of the divergent role perceptions of government and the unions. According to Egbokhare (2001), one of the primary causes of conflict between the ASUU and government is the conflict of perception of the universities. ASUU sees its role as that of defending and protecting the interest of the country as a whole. It sees the universities as people's tribune, a critical watchdog for the society striving to contain the excesses of the ruling class and the state, government sees the universities as organs of the state's bureaucracy, parastatals of a King which should be loyal to the national interest as defined and interpreted by the state.

However, it can be deduced that both the government and unions obviously have good intentions for the university system. Their conflicting views could therefore be harmonized for effectiveness and efficiency in the overall Management of Universities in Nigeria.

#### 5.0 RECOMMENDATIONS

There is no doubt about the fact that the long years of military rule in Nigeria have adversely affected the psyche of all facets of life in the country, including the management of universities at both governmental and institutional level. Unfortunately eighteen years after the restoration of democratic rule in the country, leaders and government functionaries are still behaving like military dictators. It is therefore imperative for the University System to be reoriented in consonance with acceptable democratic and international standards. In this regard, there must be

- Total overhauling of the system, such that universities in Nigeria would be run properly. To that
  extent, government must ensure that only credible people are appointed into University Governing
  Councils. A situation whereby a visitor appoints politicians, who themselves have not even
  understood the norms of the university system should be discarded. Councils of universities should
  not be seen as avenues of compensating politicians, who supported the visitor during an
  electioneering campaign.
- The appointment of Vice Chancellors must also follow laid-down procedures. Visitors who sit in their offices and appoint Vice Chancellors based on friendship or political affiliation is making a mockery of the training of future leaders, as such Vice Chancellors would only owe allegiance to the visitor and not to the system.

Indeed, Nigerian universities must be seriously re-oriented towards performing their statutory functions of teaching, research and service. For now, it appears not much of serious academic work goes on in the universities. Most Vice Chancellors, Deans and Heads of Departments are not committed to serious academic work. This has therefore affected the academic staff, some of whom have turned themselves into business tycoons, rather than researchers.

- Government at all levels must now show serious attention to the institutions. Funding is very
  important in this regard. Federal and State governments must re-order their priorities, such that the
  educational sector would occupy the highest priority in the budget.
- The Trade Unions must also show restraint in their agitation. It is understandable that issues of funding, academic freedom and autonomy, as well as conditions of services are quite important to the survival of the system. Indeed, money is needed to do virtually everything in the system providing infrastructure, building lecture rooms, laboratories, library, even employment and retention of qualified academic staff.
- Trade Unions must begin to take more interest in the discipline of their members. Some lecturers are
  noted for illegal sale of handouts and sub-standard textbooks, absence from lecture rooms, and
  other acts of indiscipline. Such academics should have no hiding place in the system.
- The Trade Unions should also assist the University Administration in sourcing competent staff. After all, as far back as 1973, Harbison noted that "human resources not capital, nor income, nor material resources constitute the ultimate basis of the wealth of nations. human beings are the active who accumulate capital, exploit natural resources, build social, economic and political organizations and carry forward national development".
- Finally, government must show understanding in dealing with Trade Unions whenever they make
  their demands. As trade unions, they cannot be passive to the welfare of their members. The idea of
  unjust sacking and dismissal of people, seizure of salary in the guise of no-work no pay-rule, ejection
  from official quarters and proscription of unions should be discarded for meaningful collective
  bargaining.

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